

FINDING OF CATEGORICAL EXCLUSION SUBJECT TO REVIEW

Project Name and Number: _____

Project Location/Address: _____

Provide a complete description of all project activities including those funded with sources other than CDBG (Attach separate page(s) if necessary):

It is the finding of the _____ that all activities in _____ are categorically excluded based upon (check all that apply):

58.35(a) Categorical Excluded activities under NEPA but SUBJECT to review under 58.5:

- ☐ Acquisition, repair, improvements, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when facilities/improvements will have same use without changes in size or capacity of more than 20%.
- ☐ Projects to remove barriers restricting mobility and accessibility to elderly and handicapped person.
- ☐ Rehab of buildings and improvements upon these conditions: unit density not changed more than 20%; project does not change land use from residential to non-residential; estimated cost of rehab is less than 75% of total cost of replacement after rehab; or activity does not change land use from on-residential to residential, commercial to industrial, or from one to another.
- ☐ Acquisition or disposition of existing structure, or acquisition of vacant land, provided that the structure or land acquired or disposed of will retain the same use.

In accordance with the provisions of 24 CFR 58.35(a), the grantee cited below has determined that the subject CDBG-assisted activity (or program) explained above is Categorical Excluded from the National Environmental Policy Act of 1969 (NEPA), as amended, and Subject to the Related Part 58.5 Statutory Authorities.

Signature Environmental Review Officer Name & Title

Date

Signature Environmental Certifying Officer Name & Title

Date

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NEPA-RELATED FEDERAL STATUTES AND AUTHORITIES

HISTORIC PROPERTIES (Historic Preservation Act 16 U.S.C. 470 & 36 CFR Part 800):

- | | |
|--|--|
| 1. Will project include physical alterations (natural or man-made) to land and/or buildings? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Is the property listed or eligible for listing on the National Register of Historic Places? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Is the property located within or directly adjacent to a historic district? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Will the final project be consistent with existing architectural styles? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| 5. If required, has the SHPO Section 106 Process been initiated? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| 6. Is an MOA or Cultural Resource Survey required by SHPO? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

If yes to questions 1, 2, or 3, consult with SHPO and comply with 36 CFR Part 800. Follow guidelines in Attachment A.

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Compliance Documentation:

SHPO Clearance Letter Date:

State Historic Preservation Office (SHPO)
1101 Riverside Drive
PO Box 176
Jefferson City, MO 65102
Phone: 573-751-7858
Toll Free: 800-361-4827

Related Web Sites:

www.dnr.mo.gov/shpo/index.html - SHPO
<http://www.dnr.mo.gov/shpo/moachp.htm> - MO Advisory Council on
Historic Preservation

FLOODPLAIN MANAGEMENT (EO 11988, 24 CFR Part 55):

- | | |
|---|--|
| 1. Is the project located within a designated 100-year floodplain or designated floodway? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Identify & attach the FEMA flood map or Flood Insurance Rate Map used to make this finding. | |
| Community Name/Number: | |
| Map Panel Number and Date of Map Panel: | |
| 2. Does the grantee participate in the National Flood Insurance Program? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Is the grantee in good standing with the National Flood Insurance Program? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

If yes to question #1, please see Attachment B for procedures for making determinations on Floodplains Management.

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Compliance Documentation:

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Federal Emergency Management Agency (FEMA)
 FEMA Region VII
 2323 Grand Boulevard, Suite 900
 Kansas City, MO 64108
 Phone: 816-283-7061

Related Web Sites:

<http://fema.gov/fima/floodplain.shtm> - FEMA
<http://fema.gov/fima/nfip.shtm> - FEMA NFIP
www.sema.state.mo.us/semapage.htm – State Emergency Management Agency (SEMA)

WETLANDS PROTECTION (EO 11990, 24 CFR Part 55):

EO 11990, Protection of Wetlands, discourages Federal funding of new construction or filling in of wetlands, and compliance is required in the wetlands decision-making process. Use 24 CFR Part 55, January 1, 1990, for wetland procedures. **Please see Attachment B for procedures for making determinations on Wetlands Management.**

1. Are drainage ways, streams, or rivers on or near the site?

☐ Yes ☐ No

2. Are ponds, marshes, bogs, swamps, or other wetlands on or near the site?

☐ Yes ☐ No

3. Is the project located within a wetland designated on a National Wetlands Inventory map of the Dept. of the Interior County NRCS office?

☐ Yes ☐ No ☐ N/A

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?

☐ Yes ☐ No

Compliance Documentation:

U.S. Fish & Wildlife
 Ecological Field Office
 Region 3
 101 Park DeVille Dr. Ste. A
 Columbia, MO 65203
 Phone: 573-234-2132

U.S. Army Corps of Engineers
 MO River Region HQ
 12565 W. Center Rd.
 Omaha, NE 68144
 Phone: 402-697-2533

Natural Resources Conservation Service
 MO State Office
 Parkade Center, Suite 250
 Columbia, MO 65203
 Phone: 573-876-0900

Related Web Sites:

<http://wetlands.fws.gov/> - U.S. Fish & Wildlife – Wetlands Inventory
www.usace.army.mil/public.html#Regulatory - Army Corps Wetlands & Waterways Regulation and Permitting
www.mo.nrcs.usda.gov/ - NRCS MO Office

COASTAL ZONE MANAGEMENT (Coastal Zone Management Act): N/A No coastal management areas in Missouri

Compliance Documentation:

Related Web Site:

<http://www.ocrm.nos.noaa.gov/czm/czmsitelist.html>

ENDANGERED SPECIES (50 CFR Part 402):

If your project involves acquisition, new construction, site clearance, public facilities, and improvements, contact the agencies by mail, or call and ask for the determination in writing for the presence of federally listed endangered or threatened *plant & animal* species. If U.S. Fish and Wildlife or MO Dept. of Conservation determines the presence of endangered or threatened species, follow their recommendations.

1. Are there any federally listed threatened and/or endangered species in the project area?

☐ Yes ☐ No ☐ NA

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2. Is there a state listed threatened and/or endangered species in the project area?

☐ Yes ☐ No ☐ NA

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?

☐ Yes ☐ No

Compliance Documentation:

U.S. Fish & Wildlife Service Region 3

Div. of Endangered Species
BHW Federal Building
One Federal Drive
Ft. Snelling, MN 55111
Phone: 612-713-5360

Related Web Sites:

<http://www.fws.gov/midwest/endangered/> - US Fish & Wildlife Endangered Species List

<http://mdc.mo.gov/nathis/endangered/> - MO Dept. of Conservation Endangered Species List

<http://www.mdc.mo.gov> - MO Dept. of Conservation – 573-751-4115

WILD and SCENIC RIVERS (36 CFR Part 297):

1. Does the project lie within one mile of a designated wild or scenic river?

☐ Yes ☐ No

2. Does the project involve new construction, major rehabilitation, land conversion, or acquisition of undeveloped land?

☐ Yes ☐ No

If yes to *both* questions, contact the National Park Service regional office and report it to the CDBG Environmental Review Specialist.

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?

☐ Yes ☐ No

Compliance Documentation:

National Park Service

Midwest Region
601 Riverfront Drive
Omaha, NE 68102
Phone: 402-661-1736

Related Web Site:

www.nps.gov/rivers/wildriverslist.html - National Park Service Wild & Scenic Rivers List

FARMLAND PROTECTION (Farmland Protection Policy Act - 7 CFR Part 658):

1. Does the project involve new construction or acquisition of undeveloped land?

☐ Yes ☐ No

If yes, complete the Farmland Conversion Impact Rating Form AD1006 and submit to USDA NRCS.

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?

☐ Yes ☐ No

Compliance Documentation:

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USDA Natural Resource Conservation Service

Parkade Center Suite 250, 601 Business Loop 70 West
Columbia, MO 65203
Phone: 573-876-9428

Related Web Site:

<http://www.nrcs.usda.gov/programs/fppa/> -
USDA Farmland Protection Policy Act

NOISE (24 CFR Part 51, Subpart B):

1. Does the project involve residential uses or involve noise sensitive uses, such as hospitals, nursing homes, day cares, shelters, schools, etc?

☐ Yes ☐ No

2. Is the project located near a major noise source (i.e., civil airport (within 5 miles), military air field (within 15 miles), or major highways or busy roads (within 1,000 feet), or railroads (within 3,000 feet))?

☐ Yes ☐ No

If the answer to both questions is yes, a noise assessment is required for proposed new construction and substantial reconstruction. Contact the CDBG Environmental Review Officer for assistance. For more information on noise issues in the project area, contact the community's public works department, respective regional planning commission, or railroad company if a railroad is located near or in the project site.

If noise sensitive uses are proposed, review the noise restrictions outlined in Attachment C.

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?

☐ Yes ☐ No

Compliance Documentation:

Related Web Site:

<http://www.hud.gov/offices/cpd/energyenviron/environment/resources/guidebooks/noise/index.cfm> - HUD Noise Guidebook

THERMAL OR EXPLOSIVE HAZARDS (24 CFR Part 51, Subparts C and D):

1. Are institutional, commercial, or industrial facilities handling explosives or fire-prone material such as liquid propane, gasoline, or other hazardous materials contained in storage tanks adjacent to or visible within a 1-mile radius of the project site?

☐ Yes ☐ No

2. If yes to question 1, contact the CDBG Environmental Review Officer to determine if an assessment of "Acceptable Separation Distance" is required.

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?

☐ Yes ☐ No

Compliance Documentation:

Related Web Site:

<http://www.hud.gov/offices/cpd/energyenviron/environment/resources/guidebooks/hazfacilities/index.cfm> - HUD Hazardous Facilities Guidebook

Department of Natural Resources Hazardous Waste Program - Phone: 573-751-3043

www.dnr.mo.gov/alpd/hwp - DNR Hazardous Waste Program

<http://www.dnr.state.mo.us/alpd/hwp/tanks.htm#Underground%20Storage%20Tanks> - DNR Tanks Section

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WATER QUALITY – Aquifer Protection: There are no designated sole source aquifers in Missouri.

Compliance Documentation:

Related Web Site:

<http://www.epa.gov/OGWDW/swp/ssa/reg7.html> - EPA listing of sole source aquifers.

WATER QUALITY (Safe Drinking Water Act) – Water Supply:

1. Will the project involve drilling a well?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. If yes, is the location subject to rapid water withdrawal problems that will change the depth of the water table?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> NA
3. Will an existing well be used for water supply?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. If yes, is the water supply free from contamination?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> NA
3. Will the project use groundwater for its water supply?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. If yes, is the water supply free from contamination?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> NA
5. If there are septic systems in use around the project location, have they been properly installed and maintained?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> NA

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?

☐ Yes ☐ No

Compliance Documentation:

US Geological Survey
 MO Water Science Center
 1400 Independence Road, MS-100
 Rolla, MO 65401
 Phone: 573-308-3667

MO Dept. of Natural Resources
 PO Box 176
 Jefferson City, MO 65102
 Phone: 573-751-2867

MO State Office
 USDA Natural Resource
 Conservation Service
 Parkade Center Suite 250
 601 Business Loop 70 West
 Columbia, MO 65201
 Phone: 573-876-9428

MO Dept. of Health
 PO Box 570
 Jefferson City, MO 65102
 Phone: 573-751-6400

Related Web Sites:

<http://www.dnr.mo.gov/wpscd/> – DNR Water Protection Program

<http://cnie.org/nle/crsreports/water/h2o-17.cfm> – Safe Drinking Water Act

<http://mo.waterdata.usgs.gov/nwis/sw> – MO USGS Water Data

<http://www.epa.gov/safewater/> - EPA Water

<http://www.dhss.mo.gov/PrivateWater/> - MO Dept. of Health Private Water Program

AIR QUALITY – Clean Air Act:

1. Is the project located in an EPA-designated non-attainment or maintenance area for one or more of six “criteria” air pollutants? (Access EPA non-attainment website below) If yes, contact the CDBG Environmental Officer for assistance.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Does the project require an installation permit, operating permit, or indirect uses permit in accordance with the Clean Air Act and follow local pollution control agency rules?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Will the project establish a trend, which, if continued, may lead to violation of air quality standards in the future?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

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4. Are there air quality concerns in the vicinity of the project that could have a negative impact on the project and beneficiaries?

☐ Yes

☐ No

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?

☐ Yes

☐ No

Compliance Documentation:

Environmental Protection Agency (EPA)

Region VII
901 North 5th Street
Kansas City, KS 66101
Phone: 913-551-7003

MO Dept. of Natural Resources

PO Box 176
Jefferson City, MO 65102
Phone: 573-751-4817

Related Web Sites:

<http://www.epa.gov/air/oaqps/greenbk/anc1.html#MISSOURI>
– EPA designated non-attainment areas

www.epa.gov/oar/oaqps/ - US EPA Air Quality Planning and Standards

www.dnr.state.mo.us/alpd/apcp/homeapcp.htm – MO DNR Air Pollution Control Program

ENVIRONMENTAL JUSTICE (EO 12898):

1. Is the project located in a predominantly minority or low-income neighborhood?

☐ Yes

☐ No

2. If Yes, could the neighborhood unduly suffer from adverse environmental impacts?

☐ Yes

☐ No

☐ NA

If the answer is yes to both questions, comply with EO 12898, Federal Actions to Address Environmental Justice, and contact the CDBG Environmental Review Officer.

Mitigation Measures Required & Completed (if none required, explain why):

Has compliance been met?

☐ Yes

☐ No

Compliance Documentation:

Environmental Protection Agency (EPA)

Region VII
901 North 5th Street
Kansas City, Kansas 66101
Phone: 913-551-7003

Related Web Sites:

www.epa.gov/swerosps/ej/ - EPA Environmental Justice

http://www.epa.gov/compliance/resources/policies/ej/exec_order_12898.pdf - Executive Order 12898

<http://www.rurdev.usda.gov/regs/forms/2006-38.pdf> - Civil Rights Impact Analysis

<http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/justice/index.cfm> - HUD Environmental Justice